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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,242	04/25/2001	Jafar S. Nabkel	1850(42059-01310)	7521
22193	7590	12/02/2004	EXAMINER	
QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			CHO, HONG SOL	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/842,242	Applicant(s) NABKEL ET AL.	
	Examiner Hong Cho	Art Unit 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,12-15,24,25,27,28 and 35-38 is/are rejected.
- 7) ☒ Claim(s) 3,6-11,16-23,26,29-34 and 39-46 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06142002</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4, 5, 12-15, 24, 25, 27, 28, and 35-38 are rejected under 35 U.S.C. 102(e) as being unpatentable over Rigole.

For the purpose of examination, “interchange party computer system (IPCS) (figure 1, element 2)” is interpreted by the Examiner to function as “integrated services controller”.

Re claims 1 and 24, Rigole discloses providing interchange party computer system (IPCS) that allows a customer to access a variety of different services from different service providers (*integrated control of at least one communication service provided by at least one communication service provider*, page 1, paragraph 0008, lines 6-10). Rigole discloses an IPCS connected to a plurality of communications networks (figure 1). Rigole discloses consumer profile supplied by a consumer and service profile supplied by a service provider for use by the IPCS (*providing dynamic service profile merging of service-specific parameters settable by at least one of a customer and the service, which may contain one or more variable entries, provided by each of the at least one*

communication services, page 4, paragraph 0044, lines 1-11). Rigole discloses service comparison and selection module allowing a customer to compare and select a particular service provider by querying a database of service providers (*configuring ISC to merge the service-specific parameters into a multi-service profile which contains at least one master key field and one service-specific field unique to each of the communication service*, page 6, paragraph 0056, lines 1-10).

Re claims 2, 4, 25, and 27, Rigole discloses an IPCS configured to control at least one communication service for an individual person customer and a plurality of individual person customers (figure 1, page 3, paragraph 0027, lines 1-5).

Re claims 5 and 28, Rigole discloses the IPCS including a relational database of a service profile with key field that allows consumers to select preferred services (*a service profile schema defined by the ISC which includes one master key field shared across the communication services*, page 5, paragraph 0049, lines 1-5) by querying a master profile or separate profiles relating to separate service providers (*service-specific field unique to each of the communication service*, page 6, paragraph 0056, lines 1-5).

Re claims 12 and 35, Rigole discloses an automated services monitoring module that notifies consumers if another service becomes available (*the MMSP may contain one or more specific fields for presence information and may also contain one or more service specific fields for availability information*, page 7, paragraph 0062, lines 4-7).

Re claims 13 and 36, Rigole discloses program module determining if another available service surpasses the selected criteria in a consumer profile (*the presence and availability*

information maybe made visible to other services for use in internal service processing, page 7, paragraph 0063, lines 15-30).

Re claims 14, 15, 37, and 38, Rigole discloses an automated best services selection module that may work in conjunction with an automated services monitoring module (*the presence and availability information is provided by a single presence and availability service or a separate presence and availability service, page 7, paragraph 0063, lines 4-6).*

Allowable Subject Matter

3. Claims 3, 6-11, 16-23, 26, 29-34, and 39-46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 26 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose configuring one ISC as a child member within a group related to a parent ISC that manages a customer group of related individual persons or a group of related ISC groups. It is noted that the closest prior art of record, Rigole shows interactions among service providers, but fails to suggest configuring one ISC as a child member within a group related to a parent ISC that manages a customer group of related individual persons or a group of related ISC groups. Claims 6-11 and 29-34 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose the profile schema defining a visibility attribute settable by one communication service providing

one level of visibility setting that defines whether the service-specific fields for said services are visible to other services when merged by the at least one ISC. It is noted that the closest prior art of record, Rigole shows building a master profile by merging ISCs, but fails to disclose the profile schema defining a visibility attribute settable by one communication service providing one level of visibility setting that defines whether the service-specific fields for said services are visible to other services when merged by the at least one ISC.

Claims 16-23 and 39-46 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose configuring one ISC as a master ISC and others as a remote ISC relative to the master ISC for s specific customer. It is noted that the closest prior art of record, Rigole shows building a master profile by merging ISCs, but fails to disclose configuring one ISC as a master ISC and others as a remote ISC relative to the master ISC for s specific customer.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - US Patent (5475819) to Miller et al. discloses distributed configuration profile for computing system
 - US Patent (6757720) to Weschler discloses profile service architecture
 - US Patent (6542515) to Kumar et al. discloses profile service

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hong Cho
Patent Examiner
11-26-2004


RICKY NGO
PRIMARY EXAMINER